

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

704 KAR 4:020, School Health Services (Final)

Applicable Statute or Regulation:

KRS 156.070, 156.160, 214.034

Action Question:

Should the KBE give final approval to 704 KAR 4:020 to drop the requirement of a TST for prospective school district employees in favor of the TB risk assessment recommended by the “Protocol for Tuberculosis” developed by the Kentucky Tuberculosis (TB) Control Program of the Department for Public Health?

History/Background:

Existing Policy: The current regulation requires that prospective school district employees undergo a physical examination prior to initial employment, a requirement that includes a tuberculin skin test (TST). The regulation also makes reference to a TST with regard to the health care examination that children must undergo within one year prior to initial admission, within one year prior to admission to sixth grade and, at district option, within one year prior to admission to ninth grade.

In 1998, the General Assembly amended KRS 214.034 to remove the requirement that children be tested for tuberculosis. In 2000, the Centers for Disease Control and Prevention (CDC) recommended targeted tuberculin testing only for groups at risk and with risk factors for infection with *M. tuberculosis*. The Kentucky Department for Public Health uses the CDC recommendations to implement tuberculosis control strategies in the Commonwealth. In place of required testing, the Commonwealth has adopted a “Protocol for Tuberculosis” that requires a risk assessment prior to a tuberculin skin test (TST), unless there is some other factor(s) that requires testing before the risk assessment is performed.

By letter of February 20 of this year, the staff from the Kentucky Tuberculosis (TB) Control Program in the Department for Public Health requested that the KBE amend 704 KAR 4:020 to bring it into compliance with the aforementioned “Protocol for Tuberculosis”.

No changes have been made to the regulation since its initial review in June. It now comes forward for consideration of final approval.

Staff Recommendation and Rationale:

Staff recommends final approval of 704 KAR 4:020. The changes bring the regulation in line with the Department of Public Health's "Protocol for Tuberculosis".

Groups Consulted and Brief Summary of Responses:

The Local Superintendents Advisory Council will forward its recommendation to the Board via letter prior to the August meeting.

Impact on Getting to Proficiency:

Safe and healthy school environments are a necessary component for academic success: a school's overall environment has an impact on student achievement, and the health and welfare of all students, teachers and staff.

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Deputy Commissioner

Interim Commissioner of Education**Date:**

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